



02-05-04 Image 1645

AMENDMENT TRANSMITTAL LETTER		CLIENT-MATTER NO.: 66872-017 (P-AR 4803)	
SERIAL NO: 09/942,024	FILING DATE: August 28, 2001	EXAMINER: K. Shahnan Shah	GROUP ART UNIT: 1645 CONFIRMATION NO.: 7269
INVENTION: FRET PROTEASE ASSAYS FOR BOTULINUM SEROTYPE A/E TOXINS			

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 552 035 US

DATE OF DEPOSIT: February 3, 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS
ADDRESSED TO MAIL STOP PATENT APPLICATION, COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Leanne Bentler
(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

LBH
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Transmitted herewith is a Response to the outstanding
Notice of Non-Compliant Amendment mailed January 14, 2004, in
the above-identified application.

Small Entity status of this application has been
established under 37 CFR 1.27.

Request for an extension of time
(in duplicate).

No additional claims fee is required.

An additional claims fee is required and has been
calculated as shown below:

CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT	HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED	RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	19	-	72	-	0	x \$9	\$18	= \$ \$
INDEPENDENT CLAIMS	1	-	3	-	0	x \$42	\$84	= \$ \$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		<input type="checkbox"/> YES		<input checked="" type="checkbox"/> NO	\$140	\$280	= \$	\$
					TOTAL ADDITIONAL FEE		\$0	\$

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

Inventor: Steward et al.
Serial No.: 09/942,024
Filed: August 28, 2001
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- Please charge my Deposit Account No. 502624 the amount of \$0.00 which covers the fee for an extension of time. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

February 3, 2004

Date

McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive,
Suite 700
San Diego, California 92122

Andrea L. Gashier

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PATENT
Client-Matter No.: 66872-017
(P-AR 4803)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Confirmation No: 7269
Steward et al.)
Serial No.: 09/942,024) Group Art Unit: 1645
Filed: August 28, 2001)
For: FRET PROTEASE ASSAYS)
FOR BOTULINUM SEROTYPE A/E)
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) Leand Bantados _____
) (TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR
) FEE)
) GJ/BH _____
) (SIGNATURE OF PERSON MAILING PAPER OR FEE)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Responsive to the Notice of Non-Compliant Amendment
mailed January 14, 2004, entry of the following Claim Amendments
is respectfully requested.